

#### AGENDA REGULAR COUNCIL MEETING CITY OF GULF SHORES, ALABAMA MARCH 12, 2018 4:00 P.M.

- 1. Call To Order
- 2. Invocation
  - A. Gulf Shores Police Department, Cpl. Billy Berrey
- 3. Pledge Of Allegiance
- 4. Roll Call
- 5. Approval Of Minutes
  - A. Approval Of Minutes:

February 26, 2018 - Special Meeting February 26, 2018 - Regular Council Meeting March 5, 2018 - Special Council Meeting March 5, 2018 - Council Work Session Meeting

- 6. Approval Of Expense Vouchers
- 7. Presentation Of Petitions, Requests And Communications
  - A. Proclamation "A Purple Heart City"

Documents:

PROCLAMATION - PURPLE HEART CITY.PDF

B. Public Assembly Permit Application - Papa Rocco's Pub Crawl

Documents:

RAC - PUBLIC ASSEMBLY PERMIT APPLICATION - PAPA ROCCOS PUB CRAWL.PDF

- 8. Public Hearing
  - A. ABC License Applications

Documents:

CC - ABC LICENSE APPLICATION - HAMPTON INN.PDF

CC - ABC LICENSE APPLICATION - SUNLINER DINER.PDF

CC - ABC LICENSE APPLICATION - WALGREENS GULF SHORES.PDF

CC - ABC LICENSE APPLICATION - ZYDECO CRAWFISH FESTIVAL.PDF

B. Resolution - CUP Seagrass Village Assisted Living Facility

Documents:

RESO - CUP SEAGRASS VILLAGE ASSISTED LIVING FACILITY.PDF

C. Ordinance - Amend Z.O - Rezone Oak Alley

Documents:

ORD - AMEND Z.O. - REZONE OAK ALLEY.PDF

#### 9. New Business

A. Resolution - Board Reappointment - Public Park And Recreation Board - Chapman

Documents:

RESO - BOARD REAPPOINTMENT - PUBLIC PARK AND REC BOARD - CHAPMAN.PDF

B. Resolution - Board Appointment - Bicycle And Pedestrian Advisory Committee - Kichler

Documents:

RESO - BOARD APPOINTMENT - BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE - KICHLER.PDF

C. Resolution - HOMF 2018 Public Assembly Permit Application

Documents:

RESO - HOMF 2018 ASSEMBLY PERMIT APPLICATION.PDF

D. Resolution - Spring Surplus 2018

Documents:

RESO - SPRING SURPLUS 2018.PDF

E. Resolution - Accept Proposal - Volkert, Inc.

Documents:

RESO - ACCEPT PROPOSAL - VOLKERT, INC..PDF

F. Resolution - Award Bid - Dump Trailers

Documents:

RESO - AWARD BID - DUMP TRAILER.PDF

G. Ordinance - Annexation - Martyn Woods Phase II - Faulkenberry And Hicks

#### Documents:

ORD - ANNEXATION - MARTYN WOODS PHASE II - FAULKENBERRY AND HICKS.PDF

- 10. Committee Reports
- 11. Staff Reports
- 12. Hearing Of Persons Not Listed On Formal Agenda
- 13. Adjourn

# Proclamation

### OFFICE OF THE MAYOR

**GULF SHORES, ALABAMA** 

### "A Purple Heart City"

WHEREAS, the citizens of the City of Gulf Shores have great admiration and gratitude for the men and women of the Armed Forces who have selflessly served our country and this community; and

WHEREAS, the Purple Heart is the oldest military decoration in present use initially created as the Badge of the Military Merit by General George Washington in 1782; and

**WHEREAS**, the Purple Heart was the first American service award or decoration made available to our Armed Forces, and it is specifically awarded to those who have been wounded or paid the ultimate sacrifice in combat; and

WHEREAS, the sacrifices of the men and women who have served in the Armed Forces from the City of Gulf Shores have aided in maintaining the freedom and way of life enjoyed by our citizens; and

WHEREAS, the citizens of the City of Gulf Shores appreciate the sacrifices our Purple Heart recipients made in defending our freedoms and acknowledge these men and women, as well as their families, for their courage and show them the honor and support they have earned.

**NOW, THEREFORE**, I Robert Craft, Mayor of the City of Gulf Shores do hereby proclaim the City of Gulf Shores as "A Purple Heart City" honoring the services and sacrifices of our nation's military wounded or killed in combat while serving to protect the freedom enjoyed by all Americans.

Robert Craft, Mayor

ttest: Hankala

Date: 1/101/10/8/2018

In witness whereof I have hereunto set my hand and caused this seal to be affixed.



Application for a Public Assembly Permit must be submitted to the City Clerk at least thirty (30) days prior to the date of the proposed assembly.

#### APPLICATION FOR PUBLIC ASSEMBLY PERMIT AS REQUIRED BY SECTION 11-20 ET SEQ. OF THE CODE OF ORDINANCES OF THE CITY OF GULF SHORES, ALABAMA

	15/18
ORGANIZATION/SPONSOR Papa Rocco's	
ADDRESS 101 W 6th Ave	
AGENT OR REPRESENTATIVE william mccin	
TELEPHONE NUMBER	
Email ADDRESS	
It is respectfully requested that a Public As issued to the above named organization or spo	ssembly Permit he
The following required information is submitted and approval of the appropriate City Department Council:	ted for the review ents and the City
a. Purpose of the Public Assembly:	
- Jub crewl	
b. Dates of the Assembly: 3/17/18	
c. Time of the Assembly: from 9:30 to	4:30
d. Estimated number of Participants/Attended	es: 100
e. Estimated number of Vendors:	_
<pre>f. Location of Assembly (legal description of known):</pre>	of property if
g. Owner of Property: William neGin	ones
Supply to Clerk a letter from owner of pruse for activity, if not owned by applications	roperty permitting

- h. If applicant will need to use City employees for any part of the preparation and clean-up of the site, a separate agreement with the City will be required before issuance of the Permit.
- i. Applicant shall guarantee payment of business licenses and sales tax, if applicable to function.
- j. Required attachments -- detailed explanation, including drawings and diagrams where applicable, of the prospective plan of the Permittee to provide for the following, as appropriate:
  - (1) Police and fire protection (describe on-site security; Gulf Shores Police will do routine patrol and will respond to calls.)
  - (2) Food and water supply and facilities
  - (3) Health and sanitation facilities (specify number of portable toilet facilities to be furnished)
  - (4) Medical facilities and services including emergency vehicles and equipment
  - (5) Vehicle access and parking facilities (If the proposed public assembly is expected to require more parking than can be provided at the location of the assembly, the applicant must submit plans showing where additional parking will be provided and a letter from the owner of the property granting approval for such use.)
  - (6) Camping and trailer facilities
  - (7) Illumination facilities
  - (8) Communications facilities
  - (9) Signage Signage placement must be shown on diagram, comply with the City's Zoning Ordinance (Ordinance #1584, Chapter 18, Article XVI, Signs) and be approved by the Recreation and Cultural Affairs Director (or his agent) prior to the issuance of the Permit.
  - (10) Noise control and abatement
  - (11) Facilities for daily clean up and waste disposal; final cleanup will be done within 24 hours after close (grease or oil disposal shall be monitored)

#### APPLICATION FOR PUBLIC ASSEMBLY PERMIT Page 3

(12) Insurance and bonding arrangements -- Binder or other proof of coverage in proper amount shall be in the hands of the Clerk no later than five (5) days before the first day of the event.

The undersigned has authority to execute this application; and the requesting organized group, unincorporated association of persons, or corporation promises and agrees to abide by all the terms and conditions of Section 11-26, Code of Ordinances, under which a Public Assembly Permit is issued, and to abide by all rules and regulations of the City of Gulf Shores, Alabama.

SIGNATURE OF AGENT
by Jame Baker, G.M.

By authority of Section 11-24 of the Code of Ordinances of the City of Gulf Shores, the requirement of an Assembly Permit shall not apply to any activity sponsored by the City, County or State.

The Permit shall be issued only after approval by the appropriate City Officials, as indicated below:

a.	Police Chief:	Date:	2-23-18
b.	Fire Chief:	Date:	2-23-18
C.	Public Works Director:	Date:	
d.	Building Official:	Date:	
е.	Planning & Zoning:	Date:	2/16/18
f.	Recreation & Cultural Affairs:	Date:	
g.	City Administrator:	Date:	

#### **Emily Tidwell**

From:

**Emily Tidwell** 

Sent:

Monday, February 26, 2018 9:29 AM

To:

Edward J. Delmore; Hartly Brokenshaw; Andy Bauer; Brandan Franklin; Mark Acreman;

**Grant Brown** 

Cc:

Matt Young; Wanda Parris; Alicia Talley; Mindy Singleton; Noel Hand; Jason Woodruff;

**Temple Smith** 

Subject:

**Assembly Permit** 

**Attachments:** 

SKM\_C25818022610290.pdf

Tra	C IX I	HU.

Recipient	Delivery	Read	Response
Edward J. Delmore	Delivered: 2/26/2018 9:29 AM	Read: 2/26/2018 9:31 AM	Approve: 2/28/2018 9:04 AM
Hartly Brokenshaw	Delivered: 2/26/2018 9:29 AM	Read: 2/26/2018 11:07 AM	Approve: 2/28/2018 3:13 PM
Andy Bauer	Delivered: 2/26/2018 9:29 AM	Read: 2/26/2018 10:29 AM	Approve: 2/26/2018 10:29 AM
Brandan Franklin	Delivered: 2/26/2018 9:29 AM		Approve: 2/26/2018 11:12 AM
Mark Acreman	Delivered: 2/26/2018 9:29 AM		Approve: 2/28/2018 4:25 PM
Grant Brown	Delivered: 2/26/2018 9:29 AM		Approve: 2/28/2018 3:20 PM
Matt Young	Delivered: 2/26/2018 9:29 AM	Read: 2/26/2018 9:37 AM	
Wanda Parris	Delivered: 2/26/2018 9:29 AM	Read: 2/26/2018 9:42 AM	Approve: 2/28/2018 8:24 AM
Alicia Talley	Delivered: 2/26/2018 9:29 AM	Read: 2/26/2018 9:33 AM	
Mindy Singleton	Delivered: 2/26/2018 9:29 AM		
Noel Hand	Delivered: 2/26/2018 9:29 AM		
Jason Woodruff	Delivered: 2/26/2018 9:29 AM		
Temple Smith	Delivered: 2/26/2018 9:29/ AM	Read: 2/26/2018 9:29 AM	

CITY ADMINISTRATOR Cult 3/1/13

Please see the attached Assembly Permit for the Papa Racos Pub Crawl. Please use your voting buttons to approve/reject.

Thank you <sup>(3)</sup> Emily

**Emily Tidwell** 

#### DEPART FROM PAPA ROCCO'S

**FLYING HARPOON** 

**MUDBUGS** 

**STEAMER** 

DESOTO'S

**HANGOUT** 

PINK PONY

**GULF ISLAND GRILL** 

MIKEE'S

RETURN TO PAPA ROCCO'S



#### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/26/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s)

С	ertificate holder in lieu of such endor	sement(s	s).	iiuvi se	ment. A sta	tement on th	is certificate does n	ot conte	er rights to the
PRO	DUCER			CONTAI NAME:	CT JANFI I I	E RENEE D	AVIS		
AGGRESSIVE INSURANCE AGENCY INC			PHONE (A/C, No. Ext): 251-943-2433 FAX (A/C, No): 251-943-2436				-043-2436		
	P.O. BOX 1986			E-MAIL ADDRESS: INSURIT@GULFTEL.COM				-3-3-2-430	
	314 E. LAUREL AVE. STE	3		PRODU	CER	COOLI ILL	COIVI		
	FOLEY, AL 36536			CUSTO	MER ID#:				+
INSL	JRED					S OF LOND	ON COVERAGE		NAIC#
	PAPA ROCCO'S, INC.						NCE COMPANY		
	P O BOX 296					EFFIELD F			
	GULF SHORES, AL 36547			INSURE	RD: ESSEX	INSURANC	E COMPANY		
	00E1 01101(E3, AE 30347			INSURE	RE:				
-	VEDAGES			INSURE	RF:				
			E NUMBER:				REVISION NUMBER	₹:	
C E INSR	HIS IS TO CERTIFY THAT THE POLICIES IDICATED. NOTWITHSTANDING ANY RE ERTIFICATE MAY BE ISSUED OR MAY XCLUSIONS AND CONDITIONS OF SUCH	PERTAIN, POLICIES	THE INSURANCE AFFORDI LIMITS SHOWN MAY HAVE	OF AN	THE POLICIE REDUCED BY	OR OTHER I S DESCRIBEI PAID CLAIMS.			
LTR	GENERAL LIABILITY	INSR WVD				POLICY EXP (MM/DD/YYYY)		LIMITS	
Α			BO87517AX25001		09/05/2017	09/05/2018	EACH OCCURRENCE DAMAGE TO RENTED	\$	1,000,000
							PREMISES (Ea occurrence	) \$	100,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person	) \$	5,000,000
							PERSONAL & ADV INJURY	( \$	1,000,000
	— I						GENERAL AGGREGATE	\$	2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP A	GG \$	2,000,000
	X POLICY PRO- JECT LOC							\$	
	ANY AUTO						COMBINED SINGLE LIMIT (Ea accident)	\$	
	ALL OWNED AUTOS						BODILY INJURY (Per person	on) \$	
							BODILY INJURY (Per accid	lent) \$	
	SCHEDULED AUTOS						PROPERTY DAMAGE		
	HIRED AUTOS						(Per accident)	\$	
	NON-OWNED AUTOS							\$	
	UMBRELLA LIAB OCCUP							\$	
	EVCERRIAR		600-2018-10777-00		01/01/2018	12/31/2018	EACH OCCURRENCE	\$	
	OLAIMIS-MADE						AGGREGATE	\$	
	DEDUCTIBLE							\$	
	RETENTION \$ WORKERS COMPENSATION							\$	
CD	AND EMPLOYERS' LIABILITY  Y/N		600-2018-10777-00		01/01/2018	12/31/2018	WC STATU- TORY LIMITS	TH- ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N/A					E.L. EACH ACCIDENT	\$	1,000,000
	(Mandatory in NH) If yes, describe under						E.L. DISEASE - EA EMPLO		1,000,000
	DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LI		1,000,000
В	LIQUOR LIABILITY		ELAL100422	(	03/20/2017	03/20/2018	\$100,000/200,000		1,000,000
	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \						,	,	
DESC	CRIPTION OF OPERATIONS / LOCATIONS / VEHICL	ES (Attach	ACORD 101, Additional Remarks S	chedule, i	If more space is I	required)			
CEF	RTIFICATE HOLDER			CANC	ELL ATION				
				CANC	ELLATION				
	CITY OF GULF SHORES 1095 W 1ST STREET GULF SHORES, AL 36542	<u>!</u>		ACCO	EXPIRATION ORDANCE WIT	DATE THE	ESCRIBED POLICIES B REOF, NOTICE WILI 7 PROVISIONS.	E CANCE	ELLED BEFORE DELIVERED IN
	JAMABAKER963@GMAIL	.СОМ			IZED REPRESEN				
				JANI	ELLE RENE	E DAVIS-A	GENT		

#### **Receipt Confirmation Page**

#### Receipt Confirmation Number: 20180221135026173

Application Payment	Confirmation Number: 34162936
Payment	Summary

Payi	nent Summary	
Payment Item		Fae
Application Fee for License 160		\$50.00
	Total Amount to be Charged	\$50.00

#### License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
160 - SPECIAL RETAIL - MORE THAN 30 DAYS	\$345.00	\$250.00	\$595.00
			\$0.00
Total Amount to be Charged	\$345.00	\$250.00	\$595.00

#### **Application Type**

Application Type: APPLICATION

#### **Applicant Information**

ticense Type 1: 160 - SPECIAL RETAIL - MORE THAN 30 DAYS

License Type 2:

License County: BALDWIN

Business Type: LLC

Trade Name: HAMPTON INN

Applicant Name: HARI OM HOSPITALITY LLC Location Address: 1701 GULF SHORES PARKWAY

GULF SHORES, AL 36542

Mailing Address: PO BOX 2138

GULF SHORES, AL 36547

Contact Person: VIRENDRA PATEL

Contact Home Phone:

Contact Business Phone: 251-948-1020

Contact Fax: Contact Cell Phone:

Contact Email Address:

Contact Web Address:

#### **Receipt Confirmation Page**

#### Receipt Confirmation Number: 20180221144313440

Application	Paymen	t Confirmation Number: 34165622
	-	5 All
	Paymar	of Summary

Payn	nent Summary	
Payment Item		Fee
Application Fee for License 020		\$50.00
	Total Amount to be Charged	\$50.00

#### License Payment Confirmation Number:

Payment Summary				
Payment Item	County Fee	State Fee	Total Fee	
020 - RESTAURANT RÉTAIL LIQUOR	\$400.00	\$300.00	\$700.00	
	X INTEREST		\$0.00	
Total Amount to be Charged	\$400.00	\$300.00	\$700.00	

#### **Application Type**

Application Type: APPLICATION

#### **Applicant Information**

License Type 1: 020 - RESTAURANT RETAIL LIQUOR

License Type 2:

License County: BALDWIN

Business Type: LLC

Trade Name: SUNLINER DINER

Applicant Name: SUNLINER LLC

Location Address: 300 GULF SHORES PARKWAY

GULF SHORES, AL 36542

Mailing Address: PO BOX 4087

GULF SHORES, AL 36542

Contact Person: MARK CHAFFIN

Contact Home Phone:

Contact Business Phone: 251-517-0872

Contact Fax:

Contact Cell Phone:

Contact Email Address:

Contact Web Address:



### STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD



Confirmation Number: 20180108150142946

Type License: 050 - RETAIL BEER (OFF PREMISES ONLY) State: County:

Type License: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY) State: County:

Trade Name: RITE AID 07180 Filing Fee:

Applicant: WALGREEN CO Transfer Fee: \$100.00

Location Address: .527 HIGHWAY 59 SOUTH GULF SHORES, AL 36542

Mailing Address: 302 WILMOT ROAD; 3RD FLOOR MS 3353 DEERFIELD, IL 60015

County: BALDWIN Tobacco sales: YES Tobacco Vending Machines: 0

Type Ownership: CORPORATION

Book, Page, or Document info: |LL|NOIS

Date Incorporated: 02/15/1909 State incorporated: | County Incorporated:

Date of Authority: 06/08/1998 Alabama State Sales Tax ID: 6800 10544

Federal Tax ID: 36 1924025

Name:	Title:	Date and Place of Birth:	Residence Address:
RICHARD MARK ASHWORTH	DIRECTOR	1:	TO TOUR TOUR TOUR TOUR TOUR TOUR TOUR TO
AMELIA DOROTHY LEGUTKI	DIRECTOR	CONTROL (SA)	/22/10/10/10/10/10
COLLIN GREGORY SMYSER	DIRECTOR		1
		'	***************************************

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JAMES PITTMAN OR JON ARCHER Home Phone:

Business Phone: 251-626-7704 Cell Phone:

Fax: E-mail: james@jbplaw.com

PREVIOUS LICENSE INFORMATION:

Trade Name: RITE AID 7180

Applicant: K & B ALABAMA CORPORATION

Previous License Number(s) License 1: 050 000240902 License 2: 070 000240902

#### **Receipt Confirmation Page**

#### Receipt Confirmation Number: 20180215100315391

Application Payment Confirmation Number: 34002846

Payment Summary		
Payment Item		Fee
Application Fee for License 140		\$50.00
	Total Amount to be Charged	\$50.00

#### **License Payment Confirmation Number:**

Payment Summary				
Payment Ite	m	County Fee	ounty Fee State Fee	
140 - SPE	CIAL EVENTS RETAIL	\$212.00	\$150.00	\$362,00
				\$0.00
Ř	Total Amount to be Charged	\$212.00	\$150.00	\$362,00

**Application Type** 

Application Type: APPLICATION

**Applicant Information** 

License Type 1: 140 - SPECIAL EVENTS RETAIL

License Type 2:

License County: BALDWIN

Business Type: CORPORATION

Trade Name: 2018 WATERWAY VILLAGE ZYDECO CRAWFISH FESTIVAL

Applicant Name: COASTAL ALABAMA BUSINESS CHAMBER

Location Address: 100 116 E 24TH AVENUE

**GULF SHORES, AL 36547** 

Mailing Address: PO BOX 3869

GULF SHORES, AL 36547

Contact Person: SUZETTE HATAWAY

Contact Home Phone:

Contact Business Phone: 251-968-7208

Contact Fax:

Contact Cell Phone: ;
Contact Email Address;

Contact Web Address:

# A RESOLUTION APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT FOR SEAGRASS VILLAGE ASSISTED LIVING FACILITY LOCATED ON COTTON CREEK DRIVE; AND SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS IN ACCORDANCE WITH REQUIREMENTS OF ZONING ORDINANCE NO. 1584 (ZA17-000077CUP)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018, as follows:

Section 1. That the Conditional Use Permit for Seagrass Village Assisted Living Facility to construct a 109 unit assisted / independent living facility and 11 cottages, located on Cotton Creek Drive directly west of Sweetwater Condominiums, Gulf Shores, Alabama be and it is hereby approved.

- **Section 2**. That the decision of the Council is that the Site Plan is in the public interest, based on the following findings of fact and conclusions:
- A. The subject property was rezoned to BN in 2009 for the anticipated use as an assisted living facility.
- B. According to the 2010 Census 17.2% of Gulf Shores' population was over the age of 65 and an assisted living facility is a use which is needed in the City of Gulf Shores. The proposed location of the site on Cotton Creek Drive in proximity to the nearby Colonial Pinnacle shopping area and connectivity to Highway 59 and the Foley Beach Express is well-suited with the proposed assisted living facility use.
- C. Assisted living facilities are low impact developments (e.g. noise, trash, traffic, etc.). In terms of traffic, assisted living facilities generate 2.74 daily trips per day per unit compared to 5.86 trips per day for condominium/townhouses and 10.1 trips per day for single family houses.
- <u>Section 3</u>. Therefore, in accordance with the Zoning Ordinance, the City Council hereby approves the issuance of a Conditional Use Permit to Seagrass Village Assisted Living Facility with the following conditions and in substantially the form presented to Council this date.
  - 1. The Seagrass Assisted Living Facility site plan shall be similar in design, density, and architectural character as the plans submitted for CUP approval.

<u>Section 4</u>. That this Resolution shall become effective upon its adoption.

A DODTED this 19th day of Moust 2010

ADOPTED this 12th day of March, 2018.	
	Robert Craft, Mayor

#### **ORDINANCE**

AN ORDINANCE
AMENDING ORDINANCE NO. 1584
(ZONING ORDINANCE), ADOPTED JANUARY 1, 2010,
BY CHANGING THE ZONING CLASSIFICATION
OF 38 ACRES OF LAND
DESCRIBED HEREIN IN REZONING CASE ZA17-000075,
FROM R-1-4 TO R-1-5 (SINGLE FAMILY RESIDENTIAL) ZONING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018, as follows:

**Section 1.** That in respect to that certain property described as follows:

COMMENCE AT THE RECORD LOCATION OF THE NORTHEAST CORNER OF SECTION 23, T9S-R3E, ST. STEPHENS MERIDIAN, AND RUN THENCE N89°22'49"W 907.60'; THENCE RUN S86°24'20"W 1215.40' TO THE SOUTH RIGHT OF WAY OF ALABAMA STATE HIGHWAY 180; THENCE RUN SOUTHWESTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2130.95' AND AN ARC DISTANCE OF 249.68' TO THE POINT OF BEGINNING; THENCE RUN S01°14'25"W 871.58'; THENCE RUN S66°15'25"W 462.32'; THENCE RUN S69°58'25"W 503.78'; THENCE RUN S73°53'20"W 323.31'; THÉNCE RUN S23°12'04"W 20.28'; THENCE RUN S88°35'05"W 322.48'; THENCE RUN N48°47'04"W 312.03'; THENCE RUN N00°41'45"E 177.81'; THENCE RUN N89°19'07"W 199.84' TO THE EAST RIGHT OF WAY OF BRIGADOON TRAIL ROAD; THENCE RUN N00°39'14"E 225.07'; THENCE RUN S89°17'53"E 200.12'; THENCE RUN N00°40'22"E 377.40'; THENCE RUN S79°39'07"E 93.35'; THENCE RUN EASTWARDLY AND NORTHEASTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1593.85' AND AN ARC DISTANCE OF 933.78'; THENCE RUN N66°45'14"E 342.48'; THENCE RUN NORTHEASTWARDLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2130.95' AND AN ARC DISTANCE OF 481.94' TO THE POINT OF BEGINNING, CONTAINING 38.13 ACRES MORE OR LESS, ALL RECORDED IN THE PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, TAKEN FROM BOUNDARY AND TOPO SURVEY BY ENGINEERING DEVELOPMENT SERVICES, LLC, DATED 1-26-2005.

Section 2. That Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010, along with the Zoning Map of the City of Gulf Shores, be and it is hereby amended and altered by rezoningan approximately 38 acre parcel of land known as Oak Alley located between Middle Brigadoon Trail and Brigadoon Trail (west side) in Gulf Shores, Alabama from R-1-4 to R-1-5 (Single Family Residential) subject to the following:

- 1. The wetlands within the proposed development shall be placed within a conservation easement.
- 2. The development shall have only one (1) ingress/egress to Ft. Morgan Road (State Highway 180).

**Section 3**. That this Ordinance shall become effective upon its adoption and publication as required by law.

Page 2	
ADOPTED this 12th day of March, 2018.	
ATTEST:	Robert Craft, Mayor
Wanda Parris, MMC City Clerk	

(cont'd.)

Ordinance No.

#### CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by the City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on March 12, 2018 and the same was duly published as required by law.

City Clerk

### A RESOLUTION REAPPOINTING DAVID CHAPMAN TO THE PUBLIC PARK AND RECREATION BOARD

BE IT RESOLVED BY THE CITY COU ALABAMA, WHILE IN REGULAR SESSIO	UNCIL OF THE CITY OF GULF SHORES, N ON MARCH 12, 2018, as follows:
Section 1. That David Chapman be and Recreation Board, to serve a six year term to ex	he hereby is reappointed to the Public Park and xpire on March 14, 2024.
Section 2. That this Resolution shall be	come effective upon its adoption.
ADOPTED this 12th day of March, 2018	8.
	Robert Craft, Mayor
ATTEST:	
Wanda Parris, MMC, City Clerk	
CERT	IFICATE
the foregoing is a true and correct copy of Reso	of Gulf Shores, Alabama, do hereby certify that olution No18 (prepared by City Clerk), which egular meeting of the City Council on March 12, 2018
	City Clerk

## A RESOLUTION APPOINTING KEN KICHLER TO THE BICYCLE & PEDESTRIAN ADVISORY COMMITTEE TO SERVE THE UNEXPIRED TERM OF ERNIE ROSADO ENDING ON MAY 8, 2019

BE IT RESOLVED BY THE CITY COUN ALABAMA, WHILE IN REGULAR SESSION (	
Section 1. That Ken Kichler be and he here Advisory Committee to fill the unexpired term of	eby is appointed to the Bicycle & Pedestrian Ernie Rosado ending on May 8, 2019.
Section 2. That this Resolution shall become	ne effective upon its adoption.
ADOPTED this 12th day of March, 2018.	
	Robert Craft, Mayor
ATTEST:	
Wanda Parris, MMC City Clerk	
CERTIF	ICATE
I, Wanda Parris MMC, City Clerk of the Ci that the foregoing is a true and correct copy of Re which Resolution was duly and legally adopted at March 12, 2018.	ty of Gulf Shores, Alabama, do hereby certify solution No18 (prepared by City Clerk), a regular meeting of the City Council on
	City Clerk

## A RESOLUTION AUTHORIZING APPROVAL OF A PUBLIC ASSEMBLY PERMIT APPLICATION FOR THE STAGING OF THE 2018 HANGOUT MUSIC FEST WITH CONDITIONS

WHEREAS, since 2010 the City has granted annually a Public Assembly Permit for the staging of the Hangout Music Fest as a proprietary undertaking on the Gulf Shores Public Beach and associated public streets, avenues, alleys, and public places; and

WHEREAS, in 2015 the City Council granted a conditional 11-year non-assignable Franchise to Hangout Music Fest, LLC, as successor to HO-MF, LLC, for the staging of the Hangout Music Fest on the Gulf Shores public beach to provide assurance of a conditional renewal of an Assembly Permit for the owners of the Festival from 2015 - 2025; and

WHEREAS, no earlier than thirty (30) days following the conclusion of any Site Usage Period, Franchisee may file a preliminary request for a Public Assembly Permit for the staging of a Music Fest during the next scheduled Site Usage Period that assumes the staging of a Music Fest with materially the same character, size and format as the Music Fest just concluded for the purpose of the City providing a written response to all items and issues of concern that must be addressed and discussed as it relates to issuance of a new Festival permit; and

WHEREAS, consent for each Festival shall be conditioned on the issuance of a separate Public Assembly Permit by the City for each annual Music Fest and Site Usage Period in accordance with the expressly conditioned timeline and detailed plan below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018, as follows:

<u>Section 1</u>. That the "Festival Dates" for the 2018 Hangout Music Festival are May 17 - 20, 2018; and

**Section 2**. That the "Site Usage Period" is April 26 - May 9 - 25, 2018; and

**Section 3.** That the Hangout Music Fest, LLC (Manager) and the City of Gulf Shores (Mayor) agree to annually provide the following documents and plans to the respective entity; and

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<u>Section 4</u>. That at least sixty (60) days <u>prior</u> to the Festival Site Usage Period, Hangout Music Fest, LLC (Manager) agrees to provide to City (Mayor) a Public Assembly Permit application that includes but is not limited to all permit application requirements as identified in Section 11-26 of the City Code of Ordinances; and

**Section 5.** That the Public Assembly Permit Application for 2018 will be approved with the following conditions:

- 1. Receipt of a satisfactory Safety & Security Plan approved by the City in its absolute and indisputable discretion, 30 days in advance of the Site Usage Period.
- 2. Receipt of all additional required items, 30 days in advance of the Site Usage Period.
  - a. The complete and finalized list of performers, bands or acts
  - b. The complete and finalized list of vendors, sponsors and exhibitors
  - c. The signed Reimbursement Agreement-reimbursing the City for all expenses directly or indirectly incurred by the City and other participating governmental entities in connection with the staging of the Music Fest
  - d. A certificate of insurance with a copy of the Additional Insured Endorsement issued by or on behalf of insurers acceptable to the City conforming Commercial General Liability Insurance coverage for the Music Fest at a limit of liability not less than \$1,000,000 each occurrence, \$1,000,000 annual aggregate, and Commercial Umbrella or Excess Liability Insurance at a limit of liability not less than \$5,000,000 each occurrence, \$5,000,000 aggregate, with the City named as an additional insured on an endorsement
- 3. Strict adherence to the Vehicle Access Plan for Setup/Breakdown related to Phase I and Phase II of the Gulf Place Revitalization Project to protect the City's investment and allow for immediate use of these areas by the public following the Site Usage Period.
- 4. Required site evacuation upon determination by the City of imminent adverse weather conditions that are expected to compromise public safety. In addition to full and strict compliance with all safety and evacuation procedures otherwise provided in the accepted Safety & Security Plan submitted by Permittee and approved by the City, the Permittee shall implement immediate shutdown and evacuation of the Site in the event the Mayor or his designated representative, after consultation with the National Weather Service, concludes that weather conditions requiring such immediate shutdown and evacuation are or appear to be imminent and so advises Permittee's Festival Director. By acceptance of the Assembly Permit, Permittee represents, warrants, and agrees that it and its owners, affiliates,

Resolution No. -18

contractors and subcontractors will have and assert no claim against the City or any official, officer, agent, or employee of the City for any expense, damages, or other economic loss incurred by it or any of its owners, affiliates, contractors, or subcontractors as a result of the determination by the City to require immediate shutdown and evacuation based on the conclusion by the City that weather conditions requiring such shutdown and evacuation were or appeared to be imminent.

<u>Section 6</u>. That this Resolution shall become effective upon its adoption.

ADOPTED this 12th day of March, 2018.	
	Robert Craft, Mayor
ATTEST:	
Wanda Parris, MMC City Clerk	
CERTIF	ICATE
I, Wanda Parris, MMC, City Clerk of the City that the foregoing is a true and correct copy of Reso which Resolution was duly and legally adopted at a 12, 2018.	olution No18 (prepared by City Clerk),
	City Clerk

# A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF GULF SHORES SURPLUS AND UNNEEDED; AND AUTHORIZING THE MAYOR AND CITY CLERK TO DISPOSE OF SUCH PROPERTY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018, as follows:

**Section 1**. That the following personal property owned by the City of Gulf Shores, Alabama is not needed for public or municipal purposes:

#### **SPRING 2018 SURPLUS**

DEPARTMENT	ITEM	QTY
BODENHAMER	VOLLEYBALL POLES	2
BODENHAMER	OFFICE CHAIR	1
BODENHAMER	FILE CABINET	1
BODENHAMER	TENNIS NETS	2
BODENHAMER	EXERCISE BIKE	1
BODENHAMER	EXERCISE ROWERS	2
BODENHAMER	1998 FORD E-350 VAN (6012)	1
CIVIC CENTER	ASSORTED TABLE CLOTHS	LOT
CIVIC CENTER	ASSORTED NAPKINS	LOT
CIVIC CENTER	CRYSTAL CANDY DISHES	11
CIVIC CENTER	SUGAR PACKET HOLDERS	16
CIVIC CENTER	CHAFING DISHES	2
CIVIC CENTER	ASSORTED GLASSES	LOT
CIVIC CENTER	GLASS RACKS	2
CULTURAL CTR	HOLIDAY COSTUMES	2
EXECUTIVE	2006 CHEVROLET MALIBU (1065)	1
INFO TECH	CANON PROJECTOR	1
INFO TECH	CDW WIRELESS CONNECTORS	3
INFO TECH	HP MONITORS	5
INFO TECH	CISCO 7911 PHONE	1
INFO TECH	CISCO 7962 PHONE	1
INFO TECH	ASK PROJECTOR	1
INFO TECH	DELL E5530 LAPTOPS	2

INFO TECH	CISCO DOME IP CAMERAS	2
INFO TECH	DALL LAPTOP CHARGING STATIONS	2
INFO TECH	DELL KEYBOARDS	LOT
INFO TECH	BATTERY BACKUPS	3
INFO TECH	CABLES	LOT
INFO TECH	KEYBOARDS/WALL PLATES	LOT
INFO TECH	WIRE RACK CLAMPS	LOT
INFO TECH	CISCO CATALYST SWITCH	1
INFO TECH	SONY VAIO LAPTOP	1
INFO TECH	DELL OPTIPLEX DESKTOP	1
INFO TECH	LG MONITOR	1
INFO TECH	HP PRINTER	1
INFO TECH	KEYBOARD DESK TRAY	1
INFO TECH	SURGE PROTECTOR	1
INFO TECH	MONITOR SPEAKER	1
INFO TECH	DELL WIDESCREEN MONITOR	1
INFO TECH	BROTHER PRINTER	1
INFO TECH	DELL OPTIPLEX 3040	1
INFO TECH	SAMSUNG VIDEO SECURITY SYSTEM	1
INFO TECH	ACER WIDESCREEN MONITOR	1
INFO TECH	WOOD SHELF SLATES	17
INFO TECH	FIBERGLASS OUTDOOR BOX	1
INFO TECH	ACP BATTERY	1
INFO TECH	CABLE MANAGE ARM KIT	1
INFO TECH	LOREX CAMERAS	LOT
INFO TECH	VIDEO SURVEILLANCE RECORDER	1
INFO TECH	MONITOR STANDS	4
INFO TECH	DELL LAPTOP	1
INFO TECH	DELL MONITOR STAND	1
INFO TECH	DELL LATITUDE LAPTOP	1
INFO TECH	LOREX CAMERAS	4
INFO TECH	FUJITSU SCANNER	1
INFO TECH	LOERX DVR'S	4
INFO TECH	POWER STRIPS	3
INFO TECH	DELL TL2000	1
INFO TECH	POWER CORDS	LOT
INFO TECH	DELL LAPTOP DOCKING STATION	1
INFO TECH	CABLES	LOT
INFO TECH	DELL RACK MOUNT EXTENTION	1
INFO TECH	VIDEO CARDS/SWITCHES	LOT
INFO TECH	MONITOR SPEAKER	1

INFO TECH	CENTURYLINK ATA'S	2
INFO TECH	HP SCANJETS	3
INFO TECH	MOUNT RACKS	LOT
INFO TECH	SHELF BRACKETS	LOT
LANDSCAPE	DITCH WITCH TOOL	1
MAINTENANCE	2007 CHEVROLET COLORADO (7004)	1
MAINTENANCE	HEAVY DUTY DOORS	LOT
MUSEUM	HOLIDAY DECORATIONS	LOT
POLICE	2008 FORD CROWN VICTORIA (9027)	1
POLICE	2006 FORD CROWN VICTORIA (9055)	1
POLICE	2006 CHEVROLET TRAIL BLAZER (9059)	1
POLICE	JONBOAT	1
POLICE	MOPED	1
POLICE	BACKPACKS	4
POLICE	LUGGAGE CASE	2
POLICE	SUITCASE	1
POLICE	BOOKS	2
POLICE	HANDBAG	1
POLICE	SHIRTS	LOT
POLICE	ELECTRONIC ITEMS	LOT
PURCHASING	CELL PHONES	LOT
PUBLIC WORKS	CHRISTMAS TREE	1
PUBLIC WORKS	MICROWAVE	1
PUBLIC WORKS	OFFICE ITEMS	LOT
PUBLIC WORKS	RUBBER HALLWAY RUNNERS	2
PUBLIC WORKS	WOOD CABINET	2
PUBLIC WORKS	GARBAGE CAN HOLDERS	20
PUBLIC WORKS	DECORATIONS	LOT
STREET	2002 GRADALL XL3100 LOADER (3556)	1
STREET	1998 CHAMPION MOTORGRADER (3517)	1
STREET	2012 JOHN DEERE XUV855D (3591)	1

<u>Section 2</u>. That the Mayor and City Clerk be and they are hereby authorized and directed to dispose of the personal property owned by the City of Gulf Shores, Alabama, described in Section 1 above, by appropriate legal methods.

<u>Section 3</u>. That the proceeds derived from such disposal shall be deposited in the General Fund of the City of Gulf Shores.

Section 4. That this Resolution shall become	ome effective upon its adoption.
ADOPTED this 12th day of March, 2018.	
	Robert Craft, Mayor
ATTEST:	
Wanda Parris, MMC	
City Clerk	
CERTIF	TICATE
the foregoing is a true and correct copy of Resolu	City of Gulf Shores, Alabama, do hereby certify that attion No18 (prepared by City Clerk), which alar meeting of the City Council on March 12, 2018.
	City Clerk

A RESOLUTION
ACCEPTING THE PROPOSAL OF VOLKERT, INC.
TO PERFORM HABITAT MAPPING AND FUNCTIONAL
ASSESSMENTS ON PROPERTIES
FOR THE NFWF BON SECOUR/OYSTER BAY WETLAND
ACQUISITION PROJECT AND
AUTHORIZING EXECUTION OF CONTRACT IN AN
AMOUNT NOT TO EXCEED \$72,000.00
TO BE REIMBURSED THROUGH THE NFWF GRANT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018.

<u>Section 1.</u> That the proposal from Volkert, Inc. to perform habitat mapping and functional assessments on properties acquired as part of the NFWF funded Bon Secour/Oyster Bay Wetland Acquisition Project be and the same is hereby authorized and accepted; and

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional services contract between the City of Gulf Shores and Volkert, Inc. to perform habitat mapping and functional assessments on properties acquired as part of the NFWF funded Bon Secour/Oyster Bay Wetland Acquisition Project in an amount not to exceed \$72,000.00, which will be 100% reimbursed through the NFWF Grant; in substantially the form presented to Council this date.

**Section 3.** That this Resolution shall become effective upon its adoption.

ADOPTED this 12th day of March, 2018.

ATTEST:	Robert Craft, Mayor
Wanda Parris, MMC City Clerk	
CERTIFI, Wanda Parris, MMC, City Clerk of the City of Control foregoing is a true and correct copy of Resolution Resolution was duly and legally adopted at a regulation 2018.	Gulf Shores, Alabama, do hereby certify that the No18 (prepared by City Clerk), which
	City Clerk

# A RESOLUTION ACCEPTING THE BID OF BALDWIN TRACTOR & EQUIPMENT FOR FOUR (4) DUMP BODY TRAILERS FOR USE BY THE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$18,800,00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018, as follows:

- <u>Section 1</u>. That the bid of Baldwin Tractor & Equipment to purchase four (4) Dump Body Trailers for use within the Public Works Department, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on February 27, 2018.
- Section 2. Funding in the amount of \$19,000 for this contract is included in account 01-563-80849, Streets Equipment.

**Section 3.** That this Resolution shall become effective upon its adoption.

ADOPTED this 12th day of March, 2018.

ATTEST:	Robert Craft, Mayor
Wanda Parris, MMC City Clerk	
CERT	TIFICATE
that the foregoing is a true and correct copy of	f the City of Gulf Shores, Alabama, do hereby certify of Resolution No18 (prepared by City Clerk), ted at a regular meeting of the City Council on March

City Clerk

#### ORDINANCE NO.

# AN ORDINANCE ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY DESCRIBED HEREIN TO THE CITY OF GULF SHORES, ALABAMA AND EXTENDING THE CORPORATE LIMITS OF THE CITY TO INCLUDE SUCH PROPERTY

\_\_\_\_\_\_

WHEREAS, on the 18<sup>th</sup> day of February, 2018, Amy Faulkenberry, Kerry & Beverly Hicks, owner of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 12, 2018, as follows:

<u>Section 1</u>. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

**Section 2**. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Gulf Shores, Alabama and in addition thereto the following described territory, to-wit:

As situated in Baldwin County, Alabama, to-wit:

PPIN 283775

184.9' X 661.6' IRR LOT 92 MARTYN WOODS AT BON SECOUR PH 2 SLIDE 2288-B & C SECTION 31-T8S-R4E (WD - SURVIVORSHIP)

18549 Treasure Oaks Road Gulf Shores AL 36542

<u>Section 3</u>. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in corporate limits of the City of Gulf Shores, Alaba forth in Section 3, above.	a this ordinance shall become a part of the ama, upon publication of this ordinance as set
ADOPTED this 12th day of March, 2018.	
ATTEST:	Robert Craft, Mayor
Wanda Parris, MMC City Clerk	
CERTIF	ICATE
I, Wanda Parris, MMC, City Clerk of the City of the foregoing is a true and correct copy of Ordina Ordinance was duly and legally adopted at a regu 2018 and the same was duly published as require	ance No. (prepared by the City Clerk), which alar meeting of the City Council on March 12,
	City Clerk

Ordinance No. (cont'd)
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